

U.S. Patent Application Serial No. 09/893,522

Response filed August 14, 2006

Reply to OA dated April 14, 2006

REMARKS:

Claims 1-6 and 35-62 are currently pending. Claims 1-4 and 35-62 are currently being considered, of which claims 3 and 4 have been amended herein and claims 35-62 have been newly added herein. Claims 5 and 6 have been withdrawn from consideration. Claim 7-34 have been canceled herein without prejudice or disclaimer as to their subject matter.

Applicants and Applicants' attorney thank Examiner Fox for the interview courteously granted July 11, 2006. The special attention the Examiner paid to the instant application is noted with appreciation. Items discussed during the interview include the Office Action mailed April 14, 2006.

The Examiner has objected to claims 7-34 as being unduly difficult to sort out.

Applicants have canceled claims 7-34 and added new claims 35-62 arranged in a manner intended to overcome this objection.

Thus, Applicants respectfully submit that this objection should be withdrawn.

The Examiner has rejected claims 1 and 16/1 under 35 USC 102(b) as anticipated by USP 6,076,543 (Johnson).

Applicants respectfully traverse this rejection, for the following reasons.

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The rejection of claim 1 is improper because **Johnson** fails to expressly or inherently describe the “line supporting rail being ... slidable in a direction orthogonal to the line along the at least one orthogonal rail,” as set forth in claim 1.

Johnson indicates that the “gas handling device is adjustably mounted on a pair of rails or supports that are coupled between adjacent stanchions 116. Each rail extends transverse to the long axis of device’s track and includes a mount or bolt which extends therefrom for insertion through a respective one of track 42’s slots 71” (col. 12, lines 24-29).

The Examiner appears to allege that the phrase “adjustably mounted” (col. 12, line 25) is the equivalent of this claim language: “mounted ... and slidable” (claim 1, line 9).

However, **Johnson** does not expressly or inherently describe the “line supporting rail being mounted ... and slidable in a direction orthogonal to the line along the at least one orthogonal rail,” as set forth in claim 1. The phrase “adjustably mounted” does not expressly or inherently describe “mounted ... and slidable,” as set forth in claim 1 (lines 9-10).

“Adjustable” does not expressly or inherently describe “slidable.”

Thus, in view of the above, Applicants respectfully submit that this rejection of claim 1 should be withdrawn.

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The rejection of claim 16/1 under 35 USC 102(b) should be withdrawn by virtue of its dependency.

The Examiner has rejected claims 1-4, 7, 8, 15, 16, and 29-34 under 35 USC 103(a) as obvious over Johnson in view of USP 6,152,175 (Itoh).

Applicants respectfully traverse this rejection, for the following reasons.

The rejection of claims 1 and 2 under 3 USC 103(a) is improper because **Johnson** and **Itoh**, alone or in combination, fail to describe, teach, or suggest the following features set forth in claim 1: “line supporting rail being mounted ... and slidable in a direction orthogonal to the line along the at least one orthogonal rail,” and also fail to describe, teach, or suggest the following features set forth in claim 2: “the line supporting member being mounted ... and slidable in a direction orthogonal to the line.”

Johnson and **Itoh**, alone or in combination, fail to describe, teach, or suggest the following features set forth in claims 3 and 4, as amended: “the tracks being slidable in a direction orthogonal to the lines.”

The Examiner has not demonstrated that the cited references describe, teach, or suggest the following features set forth in claim 37: “wherein a plurality of lines comprise a spare line and only a line supporting rail is provided for the spare line.” When arguing regarding a spare line, the Examiner relies on Fig. 10 of **Johnson**. However, Fig. 10 of **Johnson** does not show the features as set forth in claim 37.

The Examiner has not demonstrated a reasonable motivation to combine **Johnson** and **Itoh**. The Examiner identified “reduced costs” as a motivation, but has not yet demonstrated that costs would be reduced when replacing **Johnson**’s tubing with **Itoh**’s base plate 21. In fact, base plate 21 looks like it may be a more costly component than the tubing of **Johnson**. Thus, such a combination may result in increased costs. The Examiner suggests that an increased yield of a production run necessarily reduces costs. However, if the production run utilizes components that are more expensive, then an “increased yield” may lead to increased costs and not reduced costs.

Thus, Applicants respectfully submit that the rejection of claims 1-4 should be withdrawn. The rejection of claims depending from claims 1-4 should be withdrawn by virtue of their dependency.

The Examiner has rejected claims 23-28 under 35 USC 103(a) as obvious over **Johnson** in view of **Itoh** and USP 6,231,260 (**Markulec**).

Applicants respectfully traverse this rejection, for the following reasons.

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Markulec fails to remedy the above-discussed deficiencies of the rejection of the base claims.

Thus, the rejection of dependent claims 23-28 should be withdrawn by virtue of their dependency.

In view of the aforementioned amendments and remarks, it is respectfully submitted that all claims currently being considered are in condition for examination.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due now or in the future with respect to this application, to Deposit Account No. 01-2340.

Respectfully submitted,
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Enclosures: Amendment Transmittal; Petition for Extension of Time